

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

SANTIAGO MOLINA-NOLASCO

AMENDED
JUDGMENT IN A CRIMINAL CASECase Number: CR-08-00280-001-HE
USM Number: 02721-180Michael S. Johnson, Esq.,
Defendant's Attorney

[Amendment corrects inadvertent omission from standard conditions of supervision. See Page 4-A attached.]

THE DEFENDANT:

- ☒ pled guilty to count one (1) of a one (1) count Indictment filed November 4, 2008.
- ☐ pled nolo contendere to count(s) _____, which was accepted by the court.
- ☐ was found guilty on count(s) _____ after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
8 U.S.C. § 1326(a)	Illegal Re-Entry into the United States after being Convicted of a Felony	09/23/2008	1

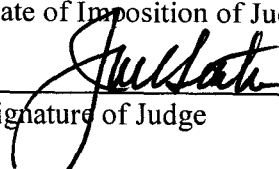
The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. Portions of this form preceded by a box are applicable if the box is checked.

- ☐ The defendant has been found not guilty on count(s) _____.
- ☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.
- ☒ It is ordered the defendant shall pay a special assessment of \$100.00 for count one (1), for a total of \$100.00, which shall be due immediately.

IT IS ORDERED that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the Court and the United States attorney of any material change in the defendant's economic circumstances.

April 23, 2009

Date of Imposition of Judgment


Signature of Judge

JOE HEATON

UNITED STATES DISTRICT JUDGE

Name and Title of Judge

7/2/09
Date Signed

AO 245B (Rev. 06/05) Judgement in a Criminal Case:

Sheet 2 - Imprisonment

DEFENDANT: MOLINA-NOLASCO, SANTIAGO

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: thirty-seven (37) months.

The court makes the following recommendation to the Bureau of Prisons:

- ☒ It is recommended that the defendant participate in the Inmate Financial Responsibility Program at a rate determined by Bureau of Prisons staff in accordance with the requirements of the Inmate Financial Responsibility program.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.
- ☐ by 12:00 noon on _____.
- ☐ as notified by the United States marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ by 12:00 noon on _____. If designation has not been made, the defendant is to surrender to the United States Marshal for this district.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

DEFENDANT: MOLINA-NOLASCO, SANTIAGO
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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: two (2) years.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant must not unlawfully possess a controlled substance. The defendant must refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court.

- ☐ The drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)
- ☒ The defendant must not possess a firearm, ammunition, destructive device, or other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved rehabilitation program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay it in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptance reasons;
- 6) the defendant shall notify the probation officer within 10 days of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 06/05) Judgment in a Criminal Case:
Sheet 3A — Supervised Release

DEFENDANT: MOLINA-NOLASCO, SANTIAGO
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ADDITIONAL SUPERVISED RELEASE TERMS

- ☒ The court does not impose any requirement of community service.
- ☒ Due to the defendant's inability to pay a fine, a fine is waived.
- ☒ If not detained by the Bureau of Immigration and Customs Enforcement at the time of release, or if detained and later released, within 72 hours of release from the custody of the Bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released. If the defendant is detained by the Bureau of Immigration and Customs Enforcement and returned to a foreign country, the defendant is to report within 72 hours of any subsequent return to the United States during the period of supervised release.

AO 245B (Rev. 09/08) Judgment in a Criminal Case:

Sheet 3A — Supervised Release Continued (as locally modified 06/09)

DEFENDANT: MOLINA-NOLASCO, SANTIAGO

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ADDITIONAL SUPERVISED RELEASE TERMS

Defendant shall not commit another federal, state, or local crime.